IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

In re:)	
)	
JEFFERSON COUNTY, ALABAMA,)	Case No. 11-5736-TBB-9
a political subdivision of the State of)	
Alabama,)	Chapter 9 Proceeding
)	_
Debtor.)	

ORDER APPROVING DEBTOR'S MOTION TO SET DEADLINE AND PROCEDURES FOR FILING OBJECTIONS TO THE PETITION AND TO APPROVE FORM AND PUBLICATION OF NOTICE REQUIRED BY 11 U.S.C. § 923

THIS MATTER came before the Court on the Motion of Debtor to Set Deadline and Procedures for Filing Objections to the Petition and to Approve Form and Publication of Notice Required by 11 U.S.C. § 923 (the "Motion")¹ filed by Jefferson County, Alabama (the "County"). Based on the pleadings of record, the arguments and representations of counsel, all other matters brought before the Court, and for good cause shown, the Court finds, determines and concludes that notice of the relief requested in the Motion was good and sufficient under the particular circumstances; the relief sought in the Motion is in the best interests of the County, its creditors, and all parties in interest; the legal and factual grounds set forth in the Motion establish just cause for the relief granted herein; and the Motion is due to be **GRANTED**.

WHEREFORE, based upon the foregoing findings of fact and conclusions of law, it is hereby

ORDERED, ADJUDGED and DECREED that any objections to the County's Chapter 9 petition must be filed with the Clerk of the United States Bankruptcy Court for the Northern

1/1743422.3

1

¹ Capitalized terms used herein and not otherwise defined have the meanings ascribed to them in the Motion.

District of Alabama, Southern Division, by no later than _____ at 5:00 p.m. central time (the "Objection Deadline"); and it is further

ORDERED, ADJUDGED and DECREED that any objections to the County's petition shall state the facts and legal authorities in support of such objections, shall comply with the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court, and shall be served on the attorneys for the County by mailing a copy of the same to: (1) Bradley Arant Boult Cummings LLP, Attention: Patrick Darby, 1819 Fifth Avenue North, Birmingham, Alabama 35203, and (2) Klee, Tuchin, Bogdanoff & Stern LLP, Attention: Kenneth Klee, 1999 Avenue of the Stars, Thirty-Ninth Floor, Los Angeles, CA 90067-5061; and it is further

ORDERED, ADJUDGED and DECREED that any objections to the petition must be advocated in person at all hearings on such objections, including without limitation the Status Hearing and the Final Hearing, or they automatically shall be deemed overruled; and it is further

ORDERED, ADJUDGED and DECREED that the form of the Notice attached as Exhibit A to the Motion is hereby APPROVED pursuant to Section 923 of the Bankruptcy Code; and it is further

ORDERED, ADJUDGED and DECREED that the County shall cause the Notice to be published for three consecutive weeks, with the first publication to occur as soon as practicable,

1/1743422.3

EXHIBIT B

in both The Bond Buyer and The Birmingham News and shall file with the Court proof of

publication not later than fourteen (14) calendar days after the last publication; and it is further

ORDERED, ADJUDGED and DECREED that the Clerk of Court is directed to

immediately mail the Notice to the parties listed on the County's creditor matrix in this case; and

it is further

ORDERED, ADJUDGED and DECREED that the service and publication of the

Notice in accordance herewith provides sufficient notice of the County's case and satisfies the

requirements of Section 923 of the Bankruptcy Code; and it is further

ORDERED, ADJUDGED and DECREED that, in the absence of any timely and

proper objection to the County's Chapter 9 petition by the Objection Deadline or should the

Court overrule any and all timely and proper objections to the petition, the Notice shall serve as

notice of the entry of an order for relief in the County's case; and it is further

ORDERED, ADJUDGED and DECREED that this Order is without prejudice to the

rights of the County pursuant to Section 904 of the Bankruptcy Code, and nothing herein is

intended as or shall be deemed to constitute the County's consent pursuant to Section 904 of the

Bankruptcy Code to this Court's interference with (1) any of the political or governmental

powers of the County, (2) any of the property or revenues of the County, or (3) the county's use

or enjoyment of any income-producing property.

DONE AND ORDERED this the _____ day of ______, 2011.

UNITED STATES BANKRUPTCY JUDGE

1/1743422.3

Case 11-05736-TBB9 Doc 13-2 Filed 11/09/11 Entered 11/09/11 19:16:05 Desc Exhibit B Page 3 of 3